

# BEST AVAILABLE COPY

AUG. 4. 2004 9:36AM

7635146982 MEDTRONIC

NO. 1626 P. 6  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/803,570	03/17/2004	John E. Burnes	P-11471.00

27581  
MEDTRONIC, INC.  
710 MEDTRONIC PARKWAY NE  
MS-LC340  
MINNEAPOLIS, MN 55432-5604

CONFIRMATION NO. 5963

### FORMALITIES LETTER



\*OC00000012866722\*

Date Mailed: 06/04/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

08/06/2004 CNGUYEN 00000007 132546 10803570

01 FC:1051 130.00 DH

*A copy of this notice **MUST** be returned with the reply.*

AUG. 4. 2004 9:37AM

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Page 2

*Jessie L. H.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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**Medtronic**

## Facsimile Cover Sheet

P-11471.00

**To: Office of Initial Patent  
Examination****Company: U.S. Patent and Trademark Office****Phone:****Fax: 703 746 4060****From: Paul H. McDowall****Company:  Medtronic****Phone: 763 514 3351****Fax: 763 505 2530****Date: August 4, 2004****Pages including this  
cover page: 7**

**Comments:** In re Application of: John E. Burnes et al.  
For: APPARATUS AND METHODS OF ENERGY EFFICIENT, ATRIAL-BASED  
BI-VENTRICULAR FUSION-PACING  
Serial No.: 10/803,570  
Filed: March 17, 2004

Attached please find the following documents:

- ☒ Response to Notice to File Missing Parts of Nonprovisional Application
- ☒ Signed Combined Declaration and Power of Attorney
- ☒ Notice to File Missing Parts of Nonprovisional Application - Part 2

IF TELECOPY IS ILLEGIBLE OR ALL PAGES HAVE NOT BEEN RECEIVED, PLEASE CONTACT  
MOLLY CHLEBECK AT TELEPHONE (763) 514-3118 IMMEDIATELY.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ON THIS TRANSMITTAL FORM. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS LISTED ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

DOCKET NO.: P-11471.00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****MISSING PARTS TRANSMITTAL**

In re Application of: John E. Burnes et al.

For: APPARATUS AND METHODS OF ENERGY EFFICIENT, ATRIAL-BASED BI-VENTRICULAR FUSION-PACING

Serial No.: 10/803,570

Filed: March 17, 2004



**CERTIFICATE OF MAILING UNDER 37 CFR 1.8:** I hereby certify that this **MISSING PARTS** and the paper(s), as described herein, are being sent via facsimile No. (703) 746-4060, addressed to the Commissioner for Patents, Mail Stop Missing Parts, on this 4<sup>th</sup> day of August, 2004.

Signature

Molly Chlebeck  
MOLLY CHLEBECK  
Printed Name

**Box Missing Parts**  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- X Response to Notice to File Missing Parts of Nonprovisional Application
- X Signed Combined Declaration and Power of Attorney
- X Notice to File Missing Parts of Nonprovisional Application - Part 2

X Please charge Missing Parts surcharge of \$130.00 to Deposit Account No. 13-2546.

☐ Applicant hereby petitions for a \_\_\_\_\_ months' extension of time. If an additional extension of time is required, please consider this petition therefor.

X Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

X Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Missing Parts Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

Date

3 Aug '04Paul H. McDowall

Reg. No. 34,873

Telephone: (763) 514-3351

Customer No. 27581



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	John E. Burnes et al.	Examiner:	Unknown
Serial No.	10/803,570	Group Art Unit:	3762
Filing Date:	March 17, 2004	Docket No.:	P11471.00
Title:	APPARATUS AND METHODS OF ENERGY EFFICIENT, ATRIAL-BASED BI-VENTRICULAR FUSION-PACING		

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

MAIL STOP MISSING PARTS  
Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application dated June 4, 2004. Please find enclosed the following documents to complete the filing requirements for the above-identified application:

1. Response to Notice to File Missing Parts of Nonprovisional Application;
2. Executed Combined Declaration and Power of Attorney;
3. Copy of Notice to File Missing Parts of Nonprovisional Application;  
and
4. \$130.00 surcharge (charged to Deposit Account No. 13-2546).

The Commissioner is authorized to charge the surcharge of \$130.00, as well as any deficiencies, and credit any overpayments, to Deposit Account No. 13-2546.

Respectfully submitted,

3 Aug '04  
Date

Paul H. McDowall  
Paul H. McDowall  
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(763) 514-3351  
Customer No. 27581